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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Hans Josef Stauss

**Serial No.:** 09/101,413

**Art Unit:** 1644

**Filed:** August 7, 1998

**Examiner:** Ewoldt, G.R.

**For:** *IMMUNOTHERAPY USING CYTOTOXIC T LYMPHOCYTES (CTL)*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBSTITUTE AMENDMENT AND RESPONSE TO OFFICE ACTION**

**Sir:**

Responsive to the Office Action mailed on September 4, 2003 and the Notice of Non-Compliant Amendment dated January 2, 2004, please substitute this Amendment and Response for the Amendment and Response filed on October 2, 2003. Please amend the application as follows. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-1868.

**HOLLAND & KNIGHT LLP**

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Suite 2000  
Atlanta, Georgia 30309-3400

404-817-9500  
404-881-0470 FAX

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<b>Group 1600</b>	<b>Assistant Commissioner for Patents – Group 1600</b>	<b>703-872-9306</b>
<b>NAME</b>	<b>COMPANY/FIRM</b>	<b>FAX NUMBER</b>
<b>Alexandria</b>	<b>VA.</b>	<b>703-308-0196</b>
<b>CITY</b>	<b>STATE</b>	<b>(TELEPHONE NUMBER)</b>

**FROM:**

<b>Patrea L. Pabst</b>	<b>404-817-8473</b>	<b>10</b>
<b>NAME</b>	<b>TELEPHONE</b>	<b>TOTAL PAGES (Including Cover Sheet)</b>

**FOR THE RECORD:**

<b>DATE: January 5, 2004</b>	<b>URGENCY: <input type="checkbox"/> SUPER RUSH <input type="checkbox"/> RUSH <input type="checkbox"/> REGULAR</b>
<b>FAXED BY:</b>	<b>FILE #: 078230.2 CLIENT NAME: RPMS 102</b>
<b>CONFIRMED: <input type="checkbox"/> YES <input type="checkbox"/> NO</b>	<b>NAME: Peggy Bailey TIME:</b>

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**MESSAGE:**

Applicant: Hans Josef Stauss

Serial No.: 09/101,413

Art Unit: 1644

Filed: August 7, 1998

Examiner: Ewoldt, G.R.

For: **IMMUNOTHERAPY USING CYTOTOXIC T LYMPHOCYTES (CTL)**

# 1498860\_v1

PTO/SB/21 (08-03)

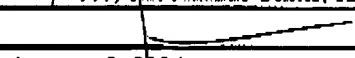
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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/101,413
	Filing Date	August 7, 1998
	First Named Inventor	Hans Josef Stauss
	Art Unit	1644
	Examiner Name	G. R. Ewoldt
Total Number of Pages in This Submission	Attorney Docket Number	RPMS.102

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Patricia L. Pabst, Esq., Reg. No. 31,284 Suite 2000, One Atlantic Center, 1201 West Peachtree Street, N.E.; Atlanta, GA 30309-3400
Signature	
Date	January 6, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Peggy Bailey
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Date	January 6, 2004

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 0.00**Complete if Known**

Application Number	09/101,413
Filing Date	August 7, 1998
First Named Inventor	Hans Josef Stauss
Examiner Name	G. R. Ewoldt
Art Unit	1644
Attorney Docket No.	RPMS 102

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number	50-1868
Deposit Account Name	Holland & Knight LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or any underpayment of fee(s)  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.
**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$ ) 0.00</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid	
Independent	12	-20** =		X			0.00
Multiple Dependent	1	-3** =		X			0.00
							0.00

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>					<b>(\$ ) 0.00</b>

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	85	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1262	420	2252	210	Extension for reply within second month	
1263	950	2253	475	Extension for reply within third month	
1264	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	840	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	60	1807	50	Processing fee under 37 CFR 1.17(q)	
1808	180	1808	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 0.00**SUBMITTED BY**

Name (Print/Type)	Patrea L. Rabst	Registration No. (Attorney/Agent)	31,284	Telephone	(404) 817-8473
Signature		Date	January 6, 2004		

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